

States, the court may not enter, approve, or continue a consent decree that does not comply with paragraph (2).

(B) PRIVATE SETTLEMENT AGREEMENTS.—Nothing in this subsection shall preclude parties from entering into a private settlement agreement that does not comply with paragraph (2) if the terms of that agreement are not subject to court enforcement other than reinstatement of the civil proceedings that the agreement settled.

(6) EXPEDITED PROCEEDINGS.—It shall be the duty of every court to advance on the docket and to expedite the disposition of any civil action or motion considered under this subsection.

(7) DEFINITIONS.—In this subsection:

(A) CONSENT DECREE.—The term “consent decree” —

(i) means any relief entered by the court that is based in whole or in part on the consent or acquiescence of the parties; and

(ii) does not include private settlements.

(B) GOOD CAUSE.—The term “good cause” does not include discovery or congestion of the court’s calendar.

(C) GOVERNMENT.—The term “Government” means the United States, any Federal department or agency, or any Federal agent or official acting within the scope of official duties.

(D) PERMANENT RELIEF.—The term “permanent relief” means relief issued in connection with a final decision of a court.

(E) PRIVATE SETTLEMENT AGREEMENT.—The term “private settlement agreement” means an agreement entered into among the parties that is not subject to judicial enforcement other than the reinstatement of the civil action that the agreement settled.

(F) PROSPECTIVE RELIEF.—The term “prospective relief” means temporary, preliminary, or permanent relief other than compensatory monetary damages.

(C) APPLICATION OF AMENDMENT.—This section shall apply with respect to all orders granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, whether such relief was ordered before, on, or after the date of the enactment of this Act.

(d) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is found to be unconstitutional, the remainder of this section and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SA 3789. Mrs. HUTCHISON (for herself, Mr. CORNYN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 165, line 20, after “Provided,” insert the following: “That for states in which the President declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) on September 24, 2005, as a result of Hurricane Rita, each county or parish eligible for individual and public assistance under such declaration in such States will be treated equally for purposes of cost-share adjustments under such Act, to account for the impact in those counties and parishes of Hurricanes Rita and Katrina: Provided further;”

SA 3790. Mrs. HUTCHISON submitted an amendment intended to be proposed

by her to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

Except for the renewal of existing intergovernmental agreements, the Bureau of Prisons (BOP) shall not plan, support, or contract to meet Federal BOP bed space needs which replace intergovernmental agreements existing at the date of enactment hereof and are used to house 1000 or more Federal inmates, until 30 days after the General Accountability Office releases the BOP Cost Comparison Report required in the Conference Report that accompanied Public 109-108.

SA 3791. Mrs. HUTCHISON (for herself, Mr. CORNYN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 176, strike lines 4 through 7 and insert the following:

December 31, 2006, for part A of title V of the Elementary and Secondary Education Act of 1965 (“ESEA”) for allocations to States for necessary expenses in the 2006-2007 academic year related to the consequences of Hurricanes Katrina and Rita: Provided further, That, notwithstanding the allotment formula described in section 5111 of the ESEA, funds made available in the preceding proviso shall be allocated to each eligible State educational agency on the basis of its relative share of displaced students (as that term is defined in section 107(b)(1) of title IV of division B of Public Law 109-148) enrolled on October 1, 2006, provided that the number of displaced students enrolled in public and private elementary schools and secondary schools in the State is not less than 1 percent of the total fourth quarter displaced student enrollment count of the 2005-2006 academic year: Provided further, That, notwithstanding the allocation formula described in section 5112 of the ESEA, each State educational agency shall make 100 percent of funds available under such proviso to local educational agencies on the basis of each local educational agency’s relative share of displaced students on October 1, 2006: Provided further, That such local educational agencies shall use such funds in accordance with sections 5131 and 5142 of the ESEA: Provided further, that the

SA 3792. Mrs. HUTCHISON (for herself, Mr. CORNYN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 165, line 19, strike “\$10,600,000,000” and all that follows through line 23 and insert the following: “\$10,800,000,000 to remain available until expended: Provided, That \$200,000,000 shall be for ensuring that for states in which the President declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) on September 24, 2005, as a result of Hurricane Rita, that each county or parish eligible for individual and public assistance under such declaration in such

States will be treated equally for purposes of cost-share adjustments under such Act, to account for the impact in those counties and parishes of Hurricanes Rita and Katrina: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That of funds made available under the heading ‘Millennium Challenge Corporation’ under the heading ‘Independent Agencies’ in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109-102; 119 Stat. 2184), \$200 million is rescinded.”

SA 3793. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 4936, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 165, line 19, strike “\$10,600,000,000” all through and including line 23 and insert “\$7,333,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.”

SA 3794. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 162, line 3, after “contractors;”, insert the following: “Provided further, That \$520,000,000 of the funds appropriated herein to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront; \$198,000,000 of the funds appropriated herein for storm-proofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; and \$285,000,000 of the funds appropriated herein to improve protection at the Inner Harbor Navigation Canal shall be available only for fiscal years 2007 and thereafter, subject to authorization.”

SA 3795. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 159, strike lines 15 through 20 and insert the following: “, \$122,850,000, to remain available until expended: Provided, That the provision of such sums shall be subject to authorization.”

On page 161, beginning on line 3, strike “the Secretary” and all that follows through “tem:” on line 20 and insert the following: “the provision of such sums shall be subject to authorization.”

SA 3796. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 253, strike lines 12 through 19.